

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

DANIEL BRITTON SMITH and
MARGIE RUTH SMITH, Individually
and as Next Friend of Daniel Britton Smith,

Plaintiffs,

v.

No. 08-1120

HEALTHSOUTH CANE CREEK
REHABILITATION HOSPITAL,

Defendant.

ORDER DIRECTING PARTIES TO ADVISE THE COURT OF COMPLIANCE
WITH SCHEDULING ORDER REGARDING MEDIATION

In its second amended scheduling order entered in this matter on July 6, 2009, the Court ordered the parties to engage in court-annexed attorney mediation or private mediation on or before the close of discovery, which was set for September 30, 2009. Counsel for the parties are hereby ORDERED, within eleven (11) days of the entry of this order, to provide to the Court a status report concerning their compliance or noncompliance with the second amended scheduling order as to mediation, including when such mediation occurred and with whom and, if it has not been undertaken, the date upon which it is scheduled or the reasons for its nonoccurrence. Parties are further to advise the Court, in the event they have engaged in mediation that was unsuccessful, whether additional efforts might be beneficial.

IT IS SO ORDERED this 1st day of October, 2009.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE